

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BERNARDINO
JOSHUA TREE DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,)	COURT CASE NO. FMB1100662
)	
Plaintiff)	FIRST AMENDED
)	
vs.)	FELONY COMPLAINT
)	
Jayme Joel Gibbs)	
)	
Defendant)	DA CASE NO. 2011-00-0064736
)	

The undersigned is informed and believes that:

COUNT 1

On or about December 28, 2011, in the above named judicial district, the crime of ATTEMPTED MURDER, in violation of PENAL CODE SECTION 664/187(a), a felony, was committed by Jayme Joel Gibbs, who did unlawfully, and with malice aforethought attempt to murder Kathryn R, a human being.

It is further alleged that the aforesaid attempted murder was committed willfully, deliberately and with premeditation within the meaning of Penal Code section 664(a) and is a serious felony pursuant to Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c).

NOTICE: Conviction of this offense will require you to provide specimens and samples pursuant to Penal Code section 296. Willful refusal to provide the specimens and samples is a crime.

It is further alleged as to count(s) 1, 3, 5 that in the commission of the above offense the said defendant Jayme Joel Gibbs, personally inflicted great bodily injury upon Jane Doe, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also

causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

COUNT 2

On or about December 28, 2011, in the above named judicial district, the crime of KIDNAPPING TO COMMIT ANOTHER CRIME, in violation of PENAL CODE SECTION 209(b)(1), a felony, was committed by Jayme Joel Gibbs, who did unlawfully kidnap and carry away Kathryn R to commit a violation of 289.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

COUNT 3

On or about December 28, 2011, in the above named judicial district, the crime of SEXUAL PENETRATION BY FOREIGN OBJECT, in violation of PENAL CODE SECTION 289(a)(1)(A), a felony, was committed by Jayme Joel Gibbs, who committed an act of sexual penetration against the will of Kathryn R by means of force, violence, duress, menace or fear of immediate and unlawful bodily injury on Kathryn R or another person.

"NOTICE: Conviction of this offense will require you to register pursuant to Penal Code section 290. Willful failure to register is a crime."

"NOTICE: Being charged with this criminal offense can result in mandatory pre-conviction HIV/AIDS testing and disclosure of the results to a victim and the Chief Medical Officer of the jail or prison facility where you are incarcerated pursuant to Penal Code Section 1524.1 and Health and Safety Code section 121055 following a probable cause hearing resulting in a court order."

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c) and a violent felony within the meaning of Penal Code section 667.5(c)."

It is further alleged as to count(s) 1, 3, 5 that in the commission of the above offense the said defendant(s) Jayme Joel Gibbs, personally inflicted great bodily injury upon Jane Doe, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

COUNT 4

On or about December 28, 2011, in the above named judicial district, the crime of CRIMINAL THREATS, in violation of PENAL CODE SECTION 422, a felony, was committed by Jayme Joel Gibbs, who did willfully and unlawfully threaten to commit a crime which would result in death or great bodily injury to Kathryn R, with the specific intent that the statement be taken as a threat.

It is further alleged that the threatened crime, on its face and under the circumstances in which it was made, was so unequivocal, unconditional, immediate and specific as to convey to Kathryn R a gravity of purpose and an immediate prospect of execution.

It is further alleged that the said Kathryn R was reasonably in sustained fear of her safety and the safety of her immediate family.

"NOTICE: The above offense is a serious felony within the meaning of Penal Code section 1192.7(c)."

COUNT 5

On or about December 28, 2011, in the above named judicial district, the crime of FALSE IMPRISONMENT BY VIOLENCE, in violation of PENAL CODE SECTION 236, a felony, was committed by Jayme Joel Gibbs, who did unlawfully violate the personal liberty of Kathryn R, said violation being effected by violence, menace, fraud, or deceit.

It is further alleged as to count(s) 1, 3, 5 that in the commission of the above offense the said defendant Jayme Joel Gibbs, personally inflicted great bodily injury upon Jane Doe, not an accomplice to the above offense, within the meaning of Penal Code Section 12022.7(a) and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8).

* * * * *

NOTICE TO DEFENDANT AND DEFENDANT'S ATTORNEY

Pursuant to Penal Code Sections 1054.5.(b), the People are hereby informally requesting that defense counsel provide discovery to the People as required by Penal Code Section 1054.3.

NOTICE TO ATTORNEY

The materials accompanying this notice may include information about witnesses. If so, these materials are disclosed to you pursuant to Penal Code section 1054.2 which provides: "No attorney may disclose or permit to be disclosed to a defendant the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1 unless specifically permitted to do so by the court after a hearing and a showing of good cause."

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT CONSISTS OF 5 COUNT(S).

Executed at Joshua Tree, California, on February 21, 2012.

LB MUSCARI
DECLARANT AND COMPLAINANT

Agency: Morongo Basin Sheriff Station

Prelim Est. 00:00

Defendant	Birth Date	Booking No.	CII No.	NCIC
Jayne Joel Gibbs	07/14/1977	1112090165		